

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MITCHELL KREVAT,

Plaintiff,

v.

BURGERS TO GO INC. AND
SAMMY SULTAN,

Defendant.

Case No. CV 13-6258 (JS) (AKT)

**NOTICE OF CROSS-MOTION AND CROSS-MOTION TO
AMEND THE COMPLAINT, PURSUANT TO FED. R. CIV. P. 15(a)(2)**

PLEASE TAKE NOTICE THAT on August 21, 2014 or as soon thereafter as counsel can be heard, plaintiff Mitchell Krevat by his undersigned counsel will appear before the Honorable Joanna Seybert in the Courtroom where she usually sits and move this Honorable Court for an order granting leave to amend the Complaint herein to allege that the corporate defendant herein was the alter-ego of the individual defendant, and that the individual defendant should be liable for its actions, pursuant to Rule 15(a)(2), Fed.R.Civ.P.

In support of this motion, plaintiff relies upon the Memorandum of Law in Opposition to Defendant's Motion to Dismiss and in Support of His Cross-Motion to Amend the Complaint, with Exhibit A attached thereto. Defendants are hereby notified that a reply to this Motion must be filed and served no later than fourteen (14) days from the service hereof.

For the reasons stated in the memorandum and exhibit, plaintiff respectfully requests that he be granted leave to amend his Complaint.

Respectfully submitted,

EATON & VAN WINKLE LLP

A handwritten signature in black ink, reading "Robert D. Katz". The signature is written in a cursive style with a horizontal line underneath the name.

Robert D. Katz, Esq.
3 Park Avenue
New York, NY 10016
Telephone: (212) 779-9910
Facsimile: (212) 779-9928
rkatz@evw.com
Attorneys for Plaintiff

Dated: July 28, 2014
New York, NY

CERTIFICATE OF SERVICE

This is to certify that on July 28, 2014, I electronically filed the foregoing Notice of Cross-Motion and Cross-Motion to Amend the Complaint, Pursuant to Fed.R.Civ.P. 15(a)(2) with the Clerk of Court using the CM/ECF system, which will automatically send e-mail documentation for such filing to any attorneys of record and to the pro se defendant.


Robert D. Katz, Esq.